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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,575	02/12/2001	Christopher R. Spejna	550134-077-1	9726

7590

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EXAMINER
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TALBOT, BRIAN K

ART UNIT	PAPER NUMBER
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1762

DATE MAILED: 01/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/781,575

Applicant(s)

SPEJNA, CHRISTOPHER R.

Examiner

Brian K Talbot

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10/29/03 (RCE filed).
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,5,6 and 9-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5,6,9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/29/03 has been entered.

2. Claims 2-4,7-8 and 13-21 have been canceled. Claims 1,5,6, and 9-12 remain in the application.

***Claim Rejections - 35 USC § 103***

3. Claims 1,5,6 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faraoni et al. (5,401,531) or Arakawa (5,024,857) in combination with Metzger (4,336,279).

Faraoni et al. (5,401,531) or Arakawa (5,024,857) teach coating systems and methods for coating armatures by a trickle impregnation process. The work-piece is preheated by blowers (28) prior to contacting with the resin coating and subsequently the coated work-piece is heated to cure the resin coating thereon. This heating step is performed in an oven or by radiant heating means. Faraoni et al. (5,401,531) teaches rotating the work-piece around its longitudinal axis (col. 4, lines 13-17) during the coating process.

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Faraoni et al. (5,401,531) or Arakawa (5,024,857) fail to teach a heated gas flow with a velocity of greater than 500 fpm perpendicular to the substrate instead of an oven.

Metzger (4,336,279) teaches an apparatus and coating process for drying and curing resin coatings. The drying and curing process utilized high velocity heated air to cure the coatings on a substrate. The temperature of the heated air can vary depending upon the coating, substrates, etc but is about 175°C and the velocity, which also varies, can be between 6,000-8,000 fpm (col. 5, lines 20-35). Looking at the Figures, it is clear that the air flow is directed at a substantially perpendicular direction toward the substrate.

Therefore it would have been obvious for one skilled in the art at the time the invention was made to have modified Faraoni et al. (5,401,531) or Arakawa (5,024,857) process by substituting a high velocity hot air drying step for the ovens as evidenced by Metzger (4,336,279) with the expectation of achieving a faster and more economical drying step.

#### ***Response to Amendment***

4. Applicant's arguments filed 8/25/03 have been fully considered but they are not persuasive.

Applicant argued that the combination of art teaches using the "high flow air" to cure the coating and not for "preheating" the substrate prior to coating.

The Examiner agrees in part. While the reference teaches utilizing the hot air flow for curing, the primary reference Faraoni et al. (5,401,531) teaches utilizing air flows for preheating

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(col. 3, lines 38-48). Hence, it is the Examiner's position that the Metzger (4,336,279) reference preheating high velocity hot air could be substituted for the "preheating air flow" of Faraoni et al. (5,401,531) with the expectation of achieving similar success. In addition, one skilled in the art would recognize the advantages associated with using a heated air flow v. a conventional oven for heating purposes, either preheating or curing, which include reduced drying times, localized heating, avoiding conventional ovens which would reduce cost as well as speed up the production cycle. Furthermore, one skilled in the art would recognize that these advantages would be achieved by substituting all heating steps (i.e. preheating and curing) as it would not be beneficial to change one and not the other.

Applicant argued that the references fail to teach rotating about a longitudinal axis and perpendicular direction of the heat air flow.

Faraoni et al. (5,401,531) clearly teaches the rotating about a longitudinal axis and Metzger (4,336,279) depicts a substantially perpendicular air flow of the heated gas. Again, while the Examiner acknowledges the references are directed toward curing the substrate, the advantages associated with such as use can be obtained for the preheating of a substrate as well as for the curing step.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K Talbot whose telephone number is (571) 272-1428. The examiner can normally be reached on Monday-Friday 6AM-3PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P Beck can be reached on (571) 272-1415. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3775.



Brian K Talbot  
Primary Examiner  
Art Unit 1762

BKT  
January 6, 2004